GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R) Sattenapalli,Guntur.and others – Initiation of departmental Common/Joint enquiry u/r 20 of APCS (CC&A) Rules, 1991 read with Rule 24 of A.P.C.S. (CC&A) Rules, 1991 - Articles of charge – Issued.

AGRICULTURE AND COOPERATION (VIG I) DEPARTMENT

G.O.Rt.No. 726 **Date:09 -10-2015.**
Read the following:-

1.From the C&DA, Hyd. Lr.No.Vig.II(2)82/13, dated:14-04-2015.
2.Govt Memo.No.3197/vig.1/2015,date:09-10-2015.
3. Govt Memo.No.3197/vig.1/2015,date:09-10-2015.

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ORDER :-

It is proposed to hold an enquiry against the said Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli,Guntur.,in accordance with procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). Statement of imputation of misconduct or misbehaviour on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli,Guntur.,is directed to submit a written statement of defence within 15 days of the receipt of this G.O. and also to state whether he desires to be heard in person.

4. Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli,Guntur.,is further informed that an Inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny the article of charge.

5. Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli,Guntur., is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli,Guntur., is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli,Guntur.,is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule- 24 of the A. P. Civil Service (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli,Guntur.
(through the Director of Agriculture,A.P, Hyderabad.)

Copy to:

The Director of Agriculture.A.P, Hyderabad (with a request to serve the order on the charged officer and return the served copy with dated ack.,)
SC/Sf.

//FORWARDED BY ORDER//

SECTION OFFICER

Annexure-I

Statement of Articles of Charge framed against Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli,Guntur district.

Article-I

That the said Sri M.S.D.V.K.Prasad,Jr Asst,(u/s) while functioning as Junior Assistant during the year 2012-2013 disobeyed the orders of the ADA(R),Sattenapalli and has not handed over some important files Cash Book, cheque Books related to Seed Village Programme Scheme and absconded from duties from 15-01-2013 onwards without any leave and permission.

Thus, Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R) Sattenapalli,Guntur was not devoted to duty and negligent in performing his official duties which attracts violation of Rule - 3(1) of (4) APCS (Conduct) Rules,1964.

Article-II

That during the aforesaid period and while functioning in the aforesaid office the said Sri.M.S.D.V.K.Prasad ,Jr Asst,(u/s) has misappropriated the Government funds to a tune of Rs.1,00,000/- from the S.B. Account No.8847 which is operating in Chitanya Godavari Grameena Bank Sattenapalli by using 3 cheques with forgery signatures of ADA(R) Sattenapalli and utilized funds for his personal use. He deceived the department and Government by withdrawing funds from the Government accounts by putting forgery signatures of ADA(R) Sattenapalli on the Cheques.

Thus, Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R) Sattenapalli,Guntur was violated Rule -3 of APCS (Conduct)Rules,1964.

Article-III

That during the aforesaid period and while functioning in the aforesaid office, Sri M.S.D.V.K Prasad, Jr Asst (u/s) has defamed the prestige of Department and Government by cancelling/altering the 7 No's of Demand Drafts/Banker Cheques for an amount of Rs .14,10,504/- pertaining to Pavala Vaddi and interest waiver schemes by writing letter to SBI, Treasury Branch, Sattenapalli by with fake or forgery tried signatures of ADA(R), Sattenapalli and wrote letters to the banks with malafide intension and obtained the required D.D/B.C in favour of ADA(R), Sattenapalli.

Thus, Sri M.S.D.V.K.Prasad, Jr Asst, (u/s),O/o ADA(R), Sattenapalli, Guntur was violated of Rule - 3 of APCS (Conduct) Rules, 1964.

Article-IV

That the said Sri M.S.D.V.K Prasad, Jr Asst (u/s) while working in the O/o ADA(R), Sattenapalli has operated the S.B Account No.2068 of Chitanya Godavari Grameena Bank, Sattenapalli without knowledge of the present ADA(R), Sattenapalli and misappropriated an amount of Rs. 13,32,500/- by withdrawing the above amount by using 15 Cheques during the period from 23-10-2011 to 20-12 - 2012 with forgery signatures of ADA(R), Sattenapalli and utilized to his personal use. He cheated department and Government by putting forgery signatures of ADA(R), Sattenapalli on the Cheques.

Thus , Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli,Guntur was violated of Rule- 3(2) of APCS (Conduct) Rules, 1964.

Article-V

That the aforesaid Sri MSDVK Prasad, Junior Asst (u/s) while working in the office of the Asst. Director of Agriculture ®, Sattenapalli has failed to deposit bankers cheque bearing No.687860, dt. 22.11.2011 for Rs.70,588/- drawn in favour of Chiatanya Godavari Grameena Bank, Komerapudi. On enquiry it was noted that the cheque issued was not encashed till to date. Thus he failed to perform his official duties in proper manner and it also indicates negligence in performing official duties.

Thus, Sri M.S.D.V.K.Prasad, Jr Asst, (u/s), O/o ADA(R) Sattenapalli, Guntur violated of Rule-3(1) of APCS (Conduct) Rules, 1964.

Article-VI

That the aforesaid Sri MSDVK Prasad, Junior Assistant, (u/s), while working in the O/o Assistant Director of Agriculture ®, Sattenapalli has utilized 6 Banker Cheques and issued on different dates in the name of unknown persons and the Cheques were bounced due to lack of funds in the bank.

Sl.No.	Cheque No. & date	Amount	Account No.	Name of the persons from which the Cheques were received to CGGB, Sattenapalli for clearance
1.	651418, dt.12.6.2013	6,00,000	8847	Rekupalli Praveen Kumar
2.	651419, dt. 1.8.2013	6,00,000	8847	B.V. Rajesh Babu
3.	722655, dt.4.1.2013	50,00,000	8847	P. Suresh Kumar
4.	722656, dt.4.1.2013	50,00,000	8847	P. Suresh Kumar
5	722658, dt.4.1.2013	40,00,000	8847	P. Suresh Kumar
6	722598, dt.4.1.2013	3,00,000	2068	P. Kalyan Kumar

Thus Sri M.S.D.V.K.Prasad, Jr Asst,(u/s), O/o ADA(R), Sattenapalli,Guntur cheated the Department / Bank / Government by using Government Cheques with forgery signatures and affixing rubber stamps of various private firms.

Thus, Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli,Guntur violated Rule - 3(1 to 5) of APCS (Conduct) Rules, 1964.

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

Annexure-II

Statement of imputations of misconduct or misbehaviour in support of the articles of charge framed against Sri M.S.D.V.K.Prasad, Jr Asst,(U/s),O/o ADA(R), Sattenapalli,Guntur district.

In respect of article-I

The ADA(R),Sattenapalli in his letter Rc.A/3/2013 dt: 16-01-2013 has stated that Sri M.S.D.V.K.PRASAD,Jr Asst (U/s) has not produced the Cash Book ,cheque Book for verification and absconded from duty without any prior permission and leave.

Thus, Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli,Guntur was violated the Rule-3(1)(4)4(i) of APCS (Conduct) Rules, 1964.

Hence , the charge.

In respect of article-II

The Deputy Director of Agriculture(Agro) ,O/o the JDA in the preliminary enquiry report dt.18-04-2013 stated that Sri M.S.D.V.K.Prasad, Jr Asst has withdrawn an amount of Rs.1,00,000/- in the S.B Account No.8847 of Chitanya Godavari Grameena Bank, Sattenapalli by using 3 Cheques with forgery signatures of ADA(R), Sattenapalli.

S.No	Cheque No.and Date	Amount	Date on which amount drawn
1.	722651 Dt.11-10-2012	Rs.60,000/-	11-10-2012
2.	722653 Dt. 15-10-2012	Rs. 30,000/-	15-10-2012
3.	722654 Dt.18-10-2012	Rs.10,000/-	18-10-2012
	Total:	Rs.1,00,000/-	

Thus, Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R) Sattenapalli,Guntur was not devoted to duty in the discharge of his official duties and deceived the Department and Government by utilizing the Government funds to his personal use. By withdrawing the above amounts, from the Bank by forgery of signatures of ADA(R),Sattenapalli.

Thus, Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R) Sattenapalli,Guntur violated of Rule- 3(2) of APCS (conduct) Rules,1964.

Hence ,the charge.

In respect of article-III

The ADA(R), Sattenapalli in his statement dt. 26-03-2013, stated that Sri M.S.D.V.K Prasad,Jr Asst has manipulated (7) D.Ds/Bank Cheques by putting a letter to the Manager, SBI by forgery of his signature for cancellation /alterations of D.Ds/ Banker cheques and obtained the DDs/Banker Cheques in favour of ADA(R),Sattenapalli.

The DDA(Agro) ,O/o the JDA,in the enquiry report has stated that Sri M.S.D.V.K Prasad ,Jr Asst has written a letter to the SBI,Sattenapalli in the name of ADA(R), Sattenapalli for cancellation /alteration of DDS/banker Cheques with forgery signature of ADA(R), Sattenapalli and obtained revised DDS/Banker Cheques in favour of ADA(R). Sattenapalli.

Thus, Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R) Sattenapalli,Guntur violated of Rule- 3 of APCS (conduct) Rules, 1964.

Hence, the charge.

Statement showing the details of DDS/Banker Cheques obtained from the SBI ,Sattenapalli towards reimbursement of Pavalavaddi/Interest waiver in the accounts of farmers.

S. No	T.B.RNo/ Date	Bill No.	DD/BC Number date	Amount Rs.	D.D./B.C. Actually drawn in favour of	D.D./B.C manipulated in favour of
1	61/ 30-09-11	8/2011-12	642856/ 24-10-11	6,16,910	SBH, Medikonduru	ADA(R), Sattenapalli
2.	63/ 30-09-11	10/2011-12	642904/ 25-10-11	84,322	GDCCB Phiranngipuram	ADA(R), Sattenapalli
3.	98/ 15-11-11	22/2011-12	687860/ 22-11-11	70,588	CGGB Komerapaali	ADA(R), Sattenapalli
4.	61/ 30-09-11	8/2011-12	642854/ 24-10-11	1,16,234	ABFSCS Dhulipalli	ADA(R), Sattenapalli
5.	61/ 30-09-11	8/2011-12	642857/ 24-10-11	3,37,903	GDCCB Sattenapalli	ADA(R), Sattenapalli
6.	62/ 30-09-11	9/2011-12	690320/ 24-01-12	1,56,931	ING Vysya Muppalla	ADA(R0, Sattenapalli
7.	152/ 06-03-11	4/2011-12	692219/ 16-03-12	27,616	Oriental Bank of Commerce, Guntur	ADA(R), Sattenapalli

In respect of article-IV

The DDA(Agro) of JDA office, in the preliminary enquiry report has stated that Sri M.S.D.V.K Prasad withdrawn an amount of Rs.13,32,500/- by issuing Cheques in the name of M.S.D.V.K Prasad , with forgery signatures of ADA(R), Sattenapalli and causes loss to the Government.

The details of cheques encashed by M.S..D.V.K.Prasad, Jr Asst with forgery signatures of ADA(R),Sattenapalli are noted here under.

With-drawl particulars from CGGB Sattenapalli SB Account No.2068 by Sri M.S.D.V.K Prasad.

S.No	Cheque No.and date	Amount With drawl	Drawn by	Cheques presented in bank (Drawl date)
1.	722577,dt;20-10-11	7500	Sri M.S.D.V.K.Prasad	23-10-2011
2.	722578,dt.06-11-12	160000	Sri M.S.D.V.K.Prasad	06-11-2012
3	722579,dt.06-11-12	90000	Sri M.S.D.V.K.Prasad	07-11-2012

4	722580,dt.06-11-12	150000	Sri M.S.D.V.K.Prasad	07-11-2012
5	722581,dt.08-11-12	150000	Sri M.S.D.V.K.Prasad	09-11-2012
6	722580,dt.10-11-12	60000	Sri M.S.D.V.K.Prasad	12-11-2012
7	722581,dt.16-11-12	150000	Sri M.S.D.V.K.Prasad	17-11-2012
8	722583,dt.19-11-12	9000	Sri M.S.D.V.K.Prasad	19-11-2012
9	722584,dt.20-11-12	150000	Sri M.S.D.V.K.Prasad	21-11-2012
10	722585,dt.22-11-12	90000	Sri M.S.D.V.K.Prasad	23-11-2012
11	722587,dt.29-11-12	10000	Sri M.S.D.V.K.Prasad	30-11-2012
12	722589,dt.05-12-12	100000	Sri M.S.D.V.K.Prasad	06-12-2012
13	722591,dt.07-12-12	15000	Sri M.S.D.V.K.Prasad	10-12-2012
14	722595,dt.18-12-12	100000	Sri M.S.D.V.K.Prasad	18-12-2012
15	722597,dt.19-12-12	10000	Sri M.S.D.V.K.Prasad	20-12-2012
	Total:	1332500		

The ADA(R), Sattenapalli in his statement stated that he was totally unaware of SB Account No.2068 of Chitanya Godavari Grameena Bank, Sattenapalli and Sri.M.S.D.V.K Prasad ,has totally operated the S.B. Account as his personal by utilizing his forgery signatures and credited/debited amounts as per his will and pleasure and personally responsible for embezzlement of account to a tune of Rs. 13,32,500/-.

Thus , Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R), Sattenapalli, Guntur was violated the Rule- 3(3) of APCS (Conduct)Rules, 1964.

Hence, the charge.

In respect of article-V

The Assistant Director of Agriculture ®, Sattenapalli in his statement has stated that Sri MSDVK Prasad, Junior Assistant (U/s) has failed to trace out Bankers Cheque bearing No.687860, dt. 22.11.2011 for Rs.70,588/- obtained in favour of Chaitanya Godavari Grameena Bank, Komerapudi. He has also informed that it was not encashed in the concerned bank and it is available with the Junior Assistant (U/s).

Thus, Sri M.S.D.V.K.Prasad, Jr Asst, (u/s),O/o ADA(R), Sattenapalli, Guntur violated of Rule-3(1) of APCS (Conduct) Rules, 1964.

Hence, the charge.

In respect of article-VI

The Assistant Director of Agriculture ®, Sattenapalli in his statement dated: 16-1-2013 and 10.12.2013 has informed that Sri MSDVK Prasad, Junior Assistant (U/s) has misused the Government Cheques by issuing the same in the name of unknown persons with forgery signatures and affixing stamps of private firms and tried to collect large amounts from Banks without knowledge of Assistant Director of Agriculture ®, Sattenapalli. The Deputy Director of Agriculture (Agro), O/o. JDA, Guntur has also pointed out the misuse of Govt cheeques in her preliminary enquiry report.

Thus, Sri M.S.D.V.K.Prasad, Jr Asst,(u/s),O/o ADA(R) Sattenapalli,Guntur violated Rule - 3(1 to 5) of APCS (Conduct) Rules, 1964.

Hence, the charge.

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-III

List of documents by which the articles of charge framed against Sri MSDVK Prasad, Junior Assistant (U/s) office of the ADA ® Sattenapalli are proposed to be sustained.

1.Rc.No.A/3/2013, Dt.16.1.2013 and 10.12.2013 of Assistant Director of Agriculture ®, Sattenapalli.
2. Preliminary Enquiry Report of Deputy Director of Agriculture (Agro) O/o. JDA, Gunture, dt. 18.4.2013.
3. Statement of Assistant Director of Agriculture ®, Sattenapalli, dt. 26.03.2013.

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

Annexure-IV

List of witnesses by whom the article of charge framed against Sri MSDVK Prasa, Junior Assistant (U/s) Office of the ADA ® Sattenapalli are proposed to be sustained.

1. Assistant Director of Agriculture ®, Sattenapalli.

T.VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER